

1 NOAH PERCH-AHERN, *pro hac vice*
 2 FRED D. HEATHER, *pro hac vice*
 3 AARON P. ALLAN, *pro hac vice*
 4 TERRY D. AVCHEN, *pro hac vice*
 5 GLASER WEIL FINK HOWARD
 6 AVCHEN & SHAPIRO LLP
 7 10250 Constellation Boulevard, 19th Floor
 8 Los Angeles, California 90067
 9 Telephone: (310) 553-3000
 10 Facsimile: (310) 556-2920
 11 nperchahern@glaserweil.com
 12 fheather@glaserweil.com
 13 aallan@glaserweil.com
 14 tavchen@glaserweil.com

15 BRAD M. JOHNSTON - Nevada Bar No. 8515
 16 JOHNSTON LAW OFFICES, P.C.
 17 22 State Route 208
 18 Yerington, Nevada 89447
 19 Telephone: (775) 316-1157
 20 Email: bjohnston@johnstonlawoffices.com

21 Attorneys for Plaintiff DIAMOND X RANCH LLC and
 22 Third-Party Defendant PARK LIVESTOCK COMPANY

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

23 DIAMOND X RANCH LLC,
 24 Plaintiff / Counter-Defendant
 25 vs.
 26 ATLANTIC RICHFIELD COMPANY,
 27 Defendant / Counterclaimant /
 28 Third-Party Plaintiff,
 vs.
 PARK LIVESTOCK CO.,
 Third-Party Defendant.

CASE NO.: 3:13-cv-00570-MMD-WGC

**DIAMOND X RANCH LLC AND PARK
 LIVESTOCK CO.'S UNOPPOSED
 MOTION FOR EXTENSION OF TIME
 TO FILE RESPONSE TO ATLANTIC
 RICHFIELD CO.'S MOTION TO
 EXCLUDE (ECF NO. 309)**

[FIRST REQUEST]

Pursuant to Federal Rule of Civil Procedure 6 and Local Rules (“LR”) IA 6-1 and 6-2, Diamond X Ranch LLC (“Diamond X”) and Park Livestock Co. (“Park Livestock”) move for an extension of time, by one week until January 9, 2018, to file their response to Atlantic Richfield Co.’s (“ARCO”) Motion to Exclude New and Untimely Expert Opinions (“Motion to Exclude”) (ECF No. 309), filed on December 18, 2017. In support of this Motion for Extension of Time, Diamond X and Park Livestock state as follows:

1. ARCO filed its Motion to Exclude on December 18, 2017 (ECF No. 309);
2. Pursuant to Federal Rule of Civil Procedure 6(a) and LR 7-2, Diamond X and Park Livestock’s Opposition is due on January 2, 2018. Therefore this request for extension of time is timely filed.
3. Counsel for Diamond X and Park Livestock conferred by email with counsel for ARCO regarding this request for extension of time, and counsel for ARCO do not oppose the requested extension.
4. This is Diamond X and Park Livestock’s first request for extension of time to file their Opposition.
5. Diamond X and Park Livestock request additional time to file their Opposition because:
 - a. ARCO’s Motion to Exclude is extensive, containing 17 pages of legal briefing, a declaration, and numerous appendices of exhibits (ECF Nos. 309-314).
 - b. Under LR 7-2, Diamond X and Park Livestock have 14 days to file their opposition, but that period includes four weekend days and two major legal holidays – Christmas and New Year’s Day. Counsel for Diamond X and Park Livestock have prescheduled holiday plans between Christmas and New Year’s Day and their office staff have vacations and family gatherings.
 - c. This request for extension of time is made for good cause and not for the purpose of delay.
 - d. The requested one-week extension will not conflict with any scheduling deadline or other order of the Court, and will therefore not delay any proceedings and will not prejudice any party.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

WHEREFORE, based on the foregoing, Diamond X and Park Livestock respectfully move for an extension of time through and including January 9, 2018, to file their Opposition to ARCO's Motion to Exclude.

DATED: December 19, 2017

Respectfully submitted,

GLASER WEIL FINK HOWARD
AVCHEN & SHAPIRO LLP

By: /s/ Noah Perch-Ahern
NOAH PERCH-AHERN, *pro hac vice*
Attorneys for Plaintiff DIAMOND X RANCH
LLC and
Third-Party Defendant PARK LIVESTOCK
COMPANY

IT IS SO ORDERED:

William G. Cobb
UNITED STATES MAGISTRATE JUDGE

DATED: December 20, 2017